

IN THE MATTER OF THE * BEFORE THE ALCOHOLIC
APPLICATION OF FALGUN PATEL *
AND BHARAT N. PATEL ON BEHALF * BEVERAGE HEARING BOARD
OF COLUMBIA LIQUOR, LLC, t/a *
KINGS CONTRIVANCE LIQUOR & * FOR
SMOKE SHOP, FOR A RESIDENT *
AGENT CHANGE ON A CLASS A-1 * HOWARD COUNTY, MARYLAND
BEER, WINE, AND LIQUOR 7-DAY *
OFF- SALE LICENSE * Case No: 15-22
*

DECISION AND ORDER

The Board of License Commissioners for Howard County, Maryland (the “Liquor Board”), pursuant to Rule 1.02(A) of the Liquor Board Rules and Regulations, has delegated the authority to hear and decide cases to the Alcoholic Beverage Hearing Board for Howard County, Maryland (the “Hearing Board”).

On May 12, 2015, the Hearing Board heard the application of Falgun Patel and Bharat N. Patel (“Applicants”), on behalf of Columbia Liquor, LLC, t/a Kings Contrivance Liquor & Smoke Shop (“Columbia Liquor, LLC”), for a resident agent change from William James Harrison to Falgun Patel on the Class A-1 Beer, Wine, and Liquor 7-day off-sale license, for a 3,600 square foot package goods store located at 8630 Guilford Road, Suite C, Columbia, Maryland 21046. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were represented by Sang W. Oh, Esquire. There were no protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference. These include the following: a letter dated February 18, 2015, from the attorney for the Applicants enclosing the application; a copy of the background investigation questionnaires for each of the applicants; a copy of the United States Passports for Falgun Patel and Bharat N. Patel; a receipt from the Department of Public Safety and Correctional Services for Falgun Patel; a copy of an adopted resolution for Columbia Liquor, LLC; a memorandum dated April 15, 2015, from the Liquor Board to the Alcoholic Beverage Inspector, the Department of

Inspections, Licenses, and Permits, the Bureau of Environmental Health and the Department of Planning and Zoning; the background investigations of the Applicants by the Alcoholic Beverage Inspector dated May 7, 2015; a memorandum dated May 6, 2015, from the Department of Planning and Zoning; a memorandum dated April 10, 2015, from the Bureau of Environmental Health; a letter dated March 18, 2015, to the Department of Finance; a letter dated April 17, 2015, from the Department of Finance; a letter dated April 15, 2015, to the Comptroller of Maryland; a fax transmission with written information regarding notification of the hearing date and the necessity to advertise; an email dated April 28, 2015, from the Alcoholic Beverage Inspector stating the premises had been posted; and certification of advertisement from Patuxent Publishing and The Baltimore Sun.

Falgun Patel, 10% shareholder of Columbia Liquor, LLC, t/a Kings Contrivance Liquor & Smoke Shop, was sworn and testified that he has lived in Howard County since 2011, is a registered voter, and is alcohol awareness certified. Mr. Patel testified that he has known Bharat Patel for three years. Mr. Patel stated that he understands his responsibility as the resident agent. Mr. Patel testified that he has reviewed the Rules and Regulations governing the sale of alcoholic beverages. Mr. Patel testified that he will visit the package goods store two to three times per week. Mr. Patel testified that he plans to get to know the employees, and become familiar with the operation of the store.

Regarding being charged with DUI in 2011, Mr. Patel testified that he was stopped after leaving a holiday party. Mr. Patel testified that it was a "wake-up call", and that he no longer drinks alcoholic beverages when he goes out. Mr. Patel testified that he received probation before judgment for the offense.

Bharat N. Patel, 90% shareholder of Columbia Liquor, LLC, t/a Kings Contrivance Liquor & Smoke Shop, was sworn and testified that they are applying for the resident agent change because he is ready to make the transition from the previous owner, Mr. Harrison. Mr. Patel testified that he feels their customers have adjusted to new ownership, and that he has carried on with Mr. Harrison's philosophy, that being a part of the community's family is important for the store. Mr. Patel testified that he will be at the package goods store three to five days per week.

Mr. Patel testified that he did not fail to disclose an alias. Mr. Patel testified that "Kumar" is a surname which means respect. Mr. Patel testified that in his culture, you inherit

your father's name as your middle name. Mr. Patel testified that he has never used the whole name, "Bharatkumar" before.

Mr. Patel testified that he was shocked to hear that he was listed as being a part owner in Pennsylvania. Mr. Patel stated that it is identity theft, and he is in the process of clearing up the issue.

The following Exhibit was entered into the record:

Exhibit #1 – a memorandum from the Lower Salford Township Police Department advising Bharatkumar Narsinhbhai Patel does not own a business located at 637 Main Street, Harleysville, Pennsylvania

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicant waived the right to request the Liquor Board to hear the case.

FINDINGS OF FACT

1. The Hearing Board finds that Falgun Patel and Bharat N. Patel, on behalf of Columbia Liquor, LLC, t/a Kings Contrivance Liquor & Smoke Shop, have applied for a resident agent change from William James Harrison to Falgun Patel on the Class A-1 Beer, Wine, and Liquor 7-day off-sale license, for a 3,600 square foot package goods store located at 8630 Guilford Road, Suite C, Columbia, Maryland 21046.
2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.
3. The Hearing Board finds that Falgun Patel has been a Howard County resident for more than two years, is a registered voter, and a 10% shareholder of Columbia Liquor, LLC, t/a Kings Contrivance Liquor & Smoke Shop.
4. The Hearing Board finds that the granting of the application is necessary for the accommodation of the public.
5. The Hearing Board finds that the granting of this application will not unduly disturb the peace and safety of the residents in the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Falgun Patel and Bharat N. Patel, on behalf of Columbia Liquor, LLC, t/a Kings Contrivance Liquor & Smoke Shop, have applied for a resident agent change from William James Harrison to Falgun Patel on the Class A-1 Beer, Wine, and Liquor 7-day off-sale license, for a 3,600 square foot package goods store located at 8630 Guilford Road, Suite C, Columbia, Maryland 21046.

2. The Hearing Board concludes that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board concludes that Falgun Patel meets the requirements of Rules 1.09(T), 1.09(U), 2.06, and 2.10 of the Liquor Board Rules and Regulations concerning resident agent qualifications.

4. The Hearing Board concludes that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board concludes that the granting of the application will not unduly disturb the peace and safety of the residents in the neighborhood.

ORDER

For the foregoing reasons, it is this 23rd day of June, 2015, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED** that the application of Falgun Patel and Bharat N. Patel, on behalf of Columbia Liquor, LLC, t/a Kings Contrivance Liquor & Smoke Shop, for a resident agent change from William James Harrison to Falgun Patel on the Class A-1 Beer, Wine, and Liquor 7-day off-sale license, for a 3,600 square foot package goods store located at 8630 Guilford Road, Suite C, Columbia, Maryland 21046, be and the same is hereby **GRANTED** subject to the following conditions:

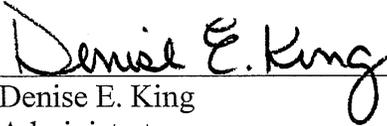
1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicants obtain the license and comply with the following conditions:

(a) That the Applicants comply with all State and County Rules and Regulations; and

(b) Failure to comply with these conditions and obtain the license by July 31, 2015, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND


Denise E. King
Administrator

ABSENT
Mary Bird, Chairperson


Harry Evans, III, Vice-Chairperson

REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
MARGARET ANN NOLAN
COUNTY SOLICITOR

ABSENT
Charles C. Feaga, Member


Heather Gaetano, Member


Lewis Taylor, Esquire
Assistant County Solicitor


Charley C. Sung, Member